



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.29145 of 2024 (O&M)
Date of decision: 25.10.2024

Suresh Kumar

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Kamal Gupta, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to release the amount of service-cum-retirement dues of the petitioner including Pension, Gratuity, Provident Fund, Leave Encashment, Revised Pay Scale and arrears of revised pay scale and all other benefits along with interest on delayed period. Further prayer has been made to direct the official respondents to look into the grievance of the petitioner and decide the legal notice dated 17.09.2024 (Annexure P-3) submitted by the petitioner.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 30.06.2024, however his pensionary benefits have not been released despite submitting a representation dated 31.08.2024 (Annexure P-2), followed by a legal notice dated 17.09.2024 (Annexure P-3). He further

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submits that the petitioner would be satisfied in case time bound directions are issued to respondent No.3 to consider and decide the said legal notice dated 17.09.2024 (Annexure P-3), by passing a speaking order.

3. Notice of motion.
4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2. On the asking of the Court Mr. Shobhit Phutela, Advocate, who is on the panel of Department of Local Government, Punjab, has accepted notice on behalf of respondent No.3 and have no objection to the innocuous prayer made by learned counsel for the petitioner.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.3 to decide legal notice dated 17.09.2024 (Annexure P-3), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of three months from the date of receipt of certified copy of this order. Necessary benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of four weeks thereafter.

(NAMIT KUMAR)
JUDGE

25.10.2024
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No